



CALPEEK

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RECALL MADNESS: THE MOST IMPORTANT DEBATE.

Editor's note: The Sept. 24th debate sponsored by the Calif. Broadcasters Assn. (CBA) and CSU/Sacramento was undoubtedly the most watched debate since the famous Nixon vs. JFK debates in 1960. Here's our brief pre-debate/post debate analysis & commentary...

Pre-Debate Analysis & Spin

... Our favorite quote about political debates comes from GOP consultant Allan Hoffenblum: *The only people who really care about debates are candidates who are behind in the polls and the League of Women Voters.* Only in the case of this Oct. 7th recall election of Gov. Gray Davis(D), Hoffenblum's theory gets tossed. It's a very important debate for actor Arnold Schwarzenegger and his chief GOP rival, State Sen. Tom McClintock. And while Demo Lt. Gov. Cruz Bustamante may get the short end of news coverage, if both GOPers stay in, they may split the GOP vote, giving an edge to Cruz. That's why GOP kingmakers are still trying to shove McC out of the recall...

... As *Calpeek* has noted before, the huge amount of news coverage is driven by Schwarzenegger. Without him, the recall is routine and the voter turnout struggles to get to 50%. With Schwarzenegger IN, voter turnout goes past 60%. And voters are watching and what they're watching is free news coverage. That's why the previous debates received so much attention – even though Schwarzenegger ducked them. Probably a mistake to hide him and that may account for his poll numbers remaining fixed at about 25-28%. Or as one source put it, "Wheel spinning vs. upward momentum for McClintock." Will that change after this debate? We'll know in a few days – new polling...

Post Debate Analysis

... All five candidates were good, but no new ground was broken. All eyes were on Schwarzenegger and he didn't disappoint or screw up – although some sources felt that his one-liners were too *Hollywoodish*. His best one-liner was used against Arianna Huffington, who was in the

actor's face all night. His response: *I have a perfect part for you in Terminator IV.* If there was a weak spot for Arnold, it was that he put himself squarely under the GOP tent. That won't help him attract Demo votes...

... The two best debaters were Green Party candidate Peter Camejo and McC. McC was his usual focused self, with his rapid command of figures. Bustamante was good too, especially in his closing remarks. But if Demos were looking for Bustamante to defend Davis, they were disappointed. He didn't lift a finger to aid Davis. McC's closing statement was aimed at the conservative base – he didn't miss a thing in spelling out his positions on taxes, guns, abortion, Prop. 54. The message was simple: stay with me, but if they (the GOP establishment) force me out, you can take a walk too. And while many GOPers are still thinking in terms of McC as a spoiler, Demos have potentially the same problem with Camejo. He could end up as a spoiler for Cruz. Stay tuned...

CAMPAIGN 2003: OCT. 7TH RECALL ELECTION SUCKS THE WIND OUT OF SAN FRANCISCO MAYOR'S RACE.

Editor's note: There is an important election on Nov. 7th in San Francisco to pick a successor to termed out Mayor Willie Brown, but you wouldn't know it because the Oct. 7th recall of Gov. Gray Davis(D) has almost thrown all other political news (including the Nov. 7th muni election) out the window. Here's our update & analysis...

... "It's like everything is frozen in time," says one S.F. insider. And prior to the all the extensive coverage about the recall, most insiders agreed the race to replace Brown was a 3-way slugfest between S.F. Co. Supes Gavin Newsom & Tom Ammiano and former S.F. Co. Supe Angela Alioto. S.F. City Treasurer Susan Leal, S.F. Co. Sup. Matt Gonzalez and former S.F.P.D. Chief Tony Ribera are considered 2nd tier candidates...

... And in the top tier, the pecking order has Newsom in 1st and either Alioto or Ammiano in 2nd – it goes back and forth

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depending upon which poll you look at. Freeze that picture and that's the way the Nov. 4th muni primary ends up. The runoff election is Dec. 9th. FYI: even though S.F. voters approved an initiative for *instant runoff elections* (aka rank choice voting), that won't be taking place this time because the computer program isn't up and running...

...**Polling data.** Newsom's about 12-20 points ahead of either Alioto or Ammiano. In an Alioto survey (run in the 9/21 *S.F. Chron* – Matier & Ross), Newsom is at 34%, Alioto at 19%, Ammiano at 13%, Leal 8%, Gonzalez 6% and Ribera 2%. The polling was done by Penn. Schoen & Berland. Newsom's poll (by Decision Research) has the top tier this way: Newsom 37%, Ammiano 17% and Alioto 15%. There's been some other private polling, showing almost the same thing – give or take a little...

...FYI: Newsom remains on top mainly due to solid fundraising and the continuing debate about his *Prop. N*. Not long ago a local judge ruled that Prop. N (Newsom's *Care Not Cash Initiative*) was unconstitutional – that only the Board of Supes had the right to regulate payments to the homeless. Recently, the Board of Supes voted 6-5 not to implement Prop. N. That vote isn't sitting well with voters, sources tell *Calpeek* and this helps Newsom. Many S.F. insiders think the original legal decision will be overturned. Stay tuned...

RECALL MADNESS: SHORT TAKES WORTH NOTING

Editor's note: Here are some short takes on the Oct. 7th recall election – updates, analysis & commentary...

◆ ***Court Reverses Controversial Ruling*** – In a unanimous decision, all 11 justices of the U.S. 9th Circuit Court of Appeals overturned an earlier 9th circuit ruling canceling the Oct. 7th election. ACLU won't appeal this decision to the U.S. Supreme Court. End of story...

◆ ***Issa Thinks about a NO Vote on Recall*** – U.S. Rep. Darrell Issa(R-Vista) says if it looks like State Sen. Tom McClintock & Arnold Schwarzenegger will *split the GOP vote*, thus allowing Demo Lt. Gov. Cruz Bustamante to replace Davis, he'll think about casting a NO vote on recall. Issa is now backing off that earlier statement, but the cat is out of the bag. What's going on behind the scenes is another attempt to shove McC at out of the race. *Calpeek* sources say Issa was prepared to spend upwards of \$20-30 million of his own against Schwarzenegger – had he stayed in the race. Why did Issa drop out? McClintock – who would have split the conservative base with Issa. Issa says he will make an endorsement soon. Our guess: Schwarzenegger...

◆ ***Arnold Vs. Calif.'s Indian Gaming Tribes*** – *Team Schwarzenegger* is now on the attack, going after the big contributions received by Bustamante and McC from the Indian Gaming Tribes. Bustamante has received at least \$5-6 million from several tribes (about \$3 million was given directly to Bustamante). Other contributions have been in the form of *independent expenditures* for tv & for a big GOTV effort. As for McC, one tribe will up its original \$500,000 IE tv buy with another \$850,000. The tv ad for McC (running in the greater L.A./Orange Co. media market) is titled "Momentum." It's a totally positive spot for McC – no slams against Arnold. Sources say even more tribal gaming money will be poured into the recall. Odd thing is that many of the tribes wanted to meet with Schwarzenegger, but were rebuffed. Now it's total war!!!

◆ ***Brulte Backs Arnold*** – Senate GOP Leader Jim Brulte of Rancho Cucamonga has gotten off the fence and endorsed Schwarzenegger for governor. Is this a mistake for Brulte? In addition to Brulte, 13 former CA Republican Party chairs have endorsed Arnold...

◆ ***Polling, Polling, Polling*** – The newest of the public surveys is by the Public Policy Inst. of Calif. It shows Part I of the recall – to boot or keep Gov. Davis – getting tighter: 53% recall vs. 42% retain. The August PPIC poll had recall at 58%. Some private Demo polling also suggests the first question getting closer. A poll just out of the field had the recall at 50% vs. 47% retain. The PPIC survey also shows Bustamante leading Schwarzenegger: 28% to 26%, with McC at 14%. One of the private Demo polls shows it 26% each for Bustamante and Schwarzenegger, with McC at 20%. Stay tuned...

CAMPAIGN 2003: CONNERLY DOESN'T HAVE TO DISCLOSE CONTRIBUTORS. NEW POLLS HAS 54 LOSING

Editor's note: New surveys by both The Field Poll and by the Public Policy Inst. of CA show that **Prop. 54**, the *Racial Privacy Initiative*, is drifting downward toward defeat on the Oct. 7th ballot. Here's our brief update & analysis...

...**Polling first.** The Field Poll (505 likely voters) was taken Sept. 3-7, while the PPIC survey (1,003 likely voters) was taken Sept. 9-17. Here's how they look:

	<u>Field</u>	<u>PPIC</u>
YES	40%	38%
NO	40%	44%
Undec.	20%	18%

...In August, YES on 54 was at 46% in the Field Poll and at 50% in the PPIC poll – a 6 pt. drop in Field and a 12 pt.

drop in PPIC. So this is good news for the NO side...

...And the NO side is up on tv. Lt. Gov. Cruz Bustamante's :30-sec. ad bashing Prop. 54 is only fair – nothing super. One source told *Calpeek* he thought the ad was “a little over the top and transparently pro-Cruz – but that’s okay.” FYI: a court ruled that Bustamante’s use of \$3-4 million on a NO on 54 tv ad from his old campaign account was in violation of Prop. 34. Judge Loren McMaster ordered the LG to return the contributions, but Bustamante consultant Richie Ross said the money was already spent. Regardless, Bustamante is being pounded on this and it’s driving up his negatives...

...The regular NO on 54 campaign, *The Coalition for an Informed Calif.*, is also up on tv with a :30-sec. ad featuring former U.S. Surgeon Gen. C. Everett Koop. A Spanish language tv spot features L.A. Councilman Tony Cardenas. The coalition also has 2 radio spots aimed at Black voters, featuring actor Danny Glover and The Rev. Jesse Jackson. The ads was produced by consultant David Axelrod of Chicago, who did L.A. City Atty. Rocky Delgadillo's tv spots – and at one time even worked for Gray Davis. Big \$\$\$ are coming from CTA(teachers) and CMA(MDs)...

...The only good news for the YES side came in a legal action, where a Sacto judge said the American Civil Rights Coalition, which is YES on 54 largest single contributor, does NOT have to disclose its list of donors. Thus we still have no idea who contributed money to Ward Connerly's non-profit foundation. Stay tuned...

CAMPAIGN 2004: UPDATE ON LEGISLATIVE RACES.

Editor's note: Here is *Part XXII* in our continuing series of updates about key U.S. House and Calif. Legislative primary contests...

☒ **29th AD Update** – Polling data suggests incumbent freshman Assemblyman Steve Samuelian(R-Fresno) is *political toast*. The new survey was paid for by Lincoln Club of Fresno Co. and was conducted by Public Opinion Strategies (read that as GOP pollster Steve Kinney). It was done Sept. 2-3 among likely *GOP voters* in the 29th AD. Samuelian's reelect number is only 16% vs. 62% elect someone else, with 21% don't know. When Samuelian's personal problems are tossed in (a *push question* relating to Samuelian's being stopped twice by the Fresno PD in the city's Red Light district), the freshman lawmaker's numbers tumble to 11% reelect vs. 78% someone else...

...Here's how it looks in a 4 way GOP primary match: Samuelian 10%, Mike Villines 24%, Chris Mathys 28%

and Nathan Magsig 3%. 4% were for some other candidate, 30% undecided and 1% refused. Of the challengers, keep your eyes on Villines. He's been endorsed by the GOP heavyweights in the area: U.S. Reps. George Radanovich and Devin Nunes; State Sen. Chuck Poovich; and Assemblyman Dave Cogdill. FYI: State Sen. Tom McClintock(R) is doing a big fundraiser for Samuelian on Sept. 30th and is catching lots of heat from local Fresno GOPers opposed to Samuelian's reelection...

☒ **76th AD Update** – Left one other Demo name out of the mix for the OPEN seat in San Diego of Assemblywoman Chris Kehoe: Lori Saldana, a community college professor, who chaired the local Sierra Club chapter. She's also a member of the San Diego Co. Demo Party's executive board. Saldana has hired Larry Remer of the Primacy Group. Saldana didn't file a campaign report, but Demo rivals Heidi von Szeliski reported \$61,448 raised/\$55,906 coh; while Vince Hall raised \$46,100 and had \$49,629 coh. Hall also reported spending \$54,473 during the period. More next week on this hot Demo primary battle...

☒ **33rd AD Update** – In this GOP primary battle to replace termed out GOP Assemblyman Abel Maldonado of San Luis Obispo, GOP candidate Matt Kokkonen is calling for a new Prop. 187. That will certainly raise eyebrows from GOPers who have tried to distance themselves from this controversial initiative, which cause lots of problems for the GOP with Latino voters. Kokkonen wants a new initiative to end “not only the driver's license scam,” but to end the “magnet of free social services which lures the illegals here in the first place.”...

☒ **3rd CD Update** – Former CA AG and former congressman Dan Lungren(R) has told supporters that he intends to announce his candidacy for the OPEN 3rd CD in early October. The seat is currently held by U.S. Rep. Doug Ose(R-Sacto), who is not seeking reelection. Lungren's chief rival (at this point) is State Sen. Rico Oller (R-Granite Bay). Stay tuned...

CALPEEK'S CALENDAR OF POLITICAL EVENTS

Oct. 2-4	AAPC Academic Conf., Akron, OH
Oct. 7	Special Recall Election – Calif.
Oct. 14	S.F. Mayor's debate, 7-8 p.m. KPIX-TV and KCBS-AM radio.
Oct. 14-17	Council of State Govts.-West Western Legislative Academy, Colorado Springs. Info @ (916)553-4423.
Nov. 4	S.F. Muni Election + other cities

IT'S HERE – NEW CAMPAIGN DIRECTORY ON SALE

Calpeek's 2003-04 Directory of Campaign Consultants is now on sale to subscribers only. The 60-page Directory contains more than 300 listings of consultants, campaign managers, pollsters, fundraisers, election law/campaign attorneys, FPPC-FEC specialists and slates makers. The cost is a low \$30 – checks only, no credit cards and absolutely no invoicing. Send checks to Calpeek @ P.O. Box 1468, Beverly Hills, CA 90213. Be sure to include either a businesscard or a short note with the name of the person who is to receive the Directory. We'll be sending the Directory via 1st class mail. Non-subscribers should contact Calpeek (310)659-0205 to inquire about a subscription...

CALPEEK'S INFOBAHN: POLITICAL SHORT TAKES.

Editor's note: Here are a few items, political & otherwise, worth noting...

■ **Megan's Law Brouhaha** – Lots of finger pointing in Sacto, as Gov. Gray Davis(D) has called on the Legislature to reconvene to extend the sunset date of Calif.'s Megan's Law. For a series of technical reasons, the bill to extend Megan's Law didn't pass. The law will sunset Dec. 31st unless the legislature acts quickly. They return to Sacto Sept. 29th. If there's gridlock, then the database of about 100,000 registered sex offenders will be restricted to only law enforcement and not available to the public. GOPers are demanding the database be put on the internet. Calif. and 9 other states are alone in not putting the info on the internet – and there's a reason. Suppose there's a bad address (a typo in the street number). And suppose a nut case in the area decides to take justice into his/her own hands. See where we're going. Worse: suppose a hacker hacks into database and put down the home addresses of members of the Calif. Legislature? Real problems. FYI: State Sen. Dennis Hollingsworth(R-Murrieta) and Assemblyman Jay LaSuer(R-La Mesa) have submitted an initiative to the AG's office for title & summary. They call this initiative the *Sexual Predator Punishment Act and Megan's Law Expansion*. If approved, this initiative would allow for internet access to the database, plus enhance penalties for kidnapping with intent to sexually assault and for luring a minor over the internet...

■ **New Polling on Prop. 53** – This is ACA 11 which would require that 1-3% of the budget be spent on state and local infrastructure projects. In the new PPIC survey, YES on 53 is at only 21% vs. 49% NO, with 30% don't know. FYI: there is now a formal opposition group called *NO on Prop. 53 – Taxpayers Against Runaway Deficits*. Lobbyist Lenny Goldberg is the cmp. mgr. (916)446-4300. www.noonpro53.com...

■ **Immigration Reform Bill** – There's a plan being put forth in the U.S. House and Senate to reform immigration

laws. If approved, the new proposal would allow 500,000 undocumented farm workers to obtain legal status in the U.S. There are about 8-10 million illegals in the U.S., but this particular bill would be limited to farm workers. The key players: U.S. Senators Ted Kennedy(D) and Larry Craig(R-Idaho) and U.S. Reps. Howard Berman(D-CA) and Chris Cannon(R-Utah). The odds are strong that the White House has already given its OK to his plan...

CAMPAIGN 2004: CALIFORNIA INITIATIVE UPDATE.

Editor's note: Here is an update about one initiative and one referendum trying to make the March 2004 Calif. ballot...

◆ **New Poll on Budget Accountability Act** – The idea of lowering the vote to 55% (instead of 2/3rds) to pass a budget and hitting legislators in the pocket book if they do not pass a budget on time has lots of voter appeal, according to a new Field Poll, which shows the Budget Accountability Act (BAA) would pass by a 61% to 25% margin, with 14% undecided. Backers of the BAA initiative submitted more than enough signatures last month to qualify for March 2004, but the signature verification count is still underway. The opposition, *Californians Against Higher Taxes – NO on the Blank Check Initiative*, say that without the "sugar coating" (withholding legislative pay for a late budget), Calif. voters wouldn't be in favor of the BAA. They're correct: the Field Poll shows support for just the 55% vote at only 38% vs. 44% NO. Interesting, but it really doesn't matter since the BAA initiative includes the withholding provisions should budget deadline not be met...

◆ **Driver's License Referendum** – CA Sec. of State Kevin Shelley(D) has given proponents Mike Spence and former State Sen. Dick Mountjoy(R) the go ahead to begin circulating petitions to overturn SB 60 via a referendum. SB 60 allows non-citizens to obtain CA driver's licenses. Gov. Gray Davis(D) had vetoed similar legislation twice in the past because he didn't think the security features of the bills in question was strong enough. SB 60 is considered by most to be *much weaker* than the previous legislation. Spence and Mountjoy have until Dec. 7th to collect 373,811 valid signatures. In reality, they'll need about 550,000 to be sure of qualification. Sources tell *Calpeek* that some 30,000 people (who had contacted the campaign via the internet at www.saveourlicense.com) have requested petitions. The campaign has gotten about \$100,000 in pledge (some are in-kind contributions), but more will be needed to hire professional petition circulators. Sources tell *Calpeek* the proponents are "in discussions for heavy \$\$\$." Source believe if this referendum qualifies for the March 2004 ballot, the NO on SB 60 side will win. Stay tuned..